

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
TUESDAY, FEBRUARY 16, 2021
10:00AM REGULAR SESSION

Commissioners met in regular session with all members present.

1. Invocation and Pledges

Prayer said by Gene Dolle

Pledges said by Dustin Nicholson

2. Consider and take action on approval of:

A. The minutes of the previous meeting:

B. Payroll changes: (JP#3 Clerk \$1100.00 per pay period)

C. Payroll:

D. Budget amendments:

E. Accounts Payable:

Expense Approval Report:

F. Accept for recording: Auditor reports; Treasurer reports; Bonds; Oaths; Deputations; Certificates; State and County Taxes Summary; refund of overpayment or erroneous tax payments in excess of \$2500.00; Copy of check and explanation of funds from TransOil Marketing, LLC for Upshur County School Land; Upshur County Employee Position List with Base Pay-revised 02/02/2021; Racial Profiling Report for Constable Pct. 3; Racial Profiling Report for Constable Pct. 4; Conflict of Interest Questionnaire from Ergon Asphalt & Emulsions, Inc.; Agreement Between the Texas Department of Agriculture and the County of Upshur Contract No. 7220471 for the Community Development Fund; and applications for use of Upshur County roads and rights-of way and permit request.

Motion to approve and record items A-F made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copies attached.

3. Discuss and take action to approve the FY 20 Audit Report for the Jail commissary.

Motion to approve the FY 20 Audit Report for the Jail Commissary made by Gene Dolle

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

4. Discuss and take action to approve an increase in the budget in Special revenue Fund 270-Chapter 59 Asset Forfeiture Fund-Sheriff's Office.

Motion to approve an increase in the budget in Special revenue Fund 270-Chapter 59 Asset Forfeiture Fund-Sheriff's Office made by Gene Dolle

Second by Dustin Nicholson

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

5. Discuss and take action to approve WIFI for the County Clerk's Office.

Motion to approve WIFI for the County Clerk's Office made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

- 6. Discuss and take action to require all contracts for contracted services performed on county real property to be first approved by Commissioners' Court with the Court requiring two proposals with the companies required to submit proof of insurance including Worker's Compensation Insurance.**

Motion to adopt a written policy to require all contracts for contracted services performed on County real property to be first approved by the Commissioner's Court requiring two proposals with the companies required to submit proof of insurance including Worker's Compensation insurance made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

- 7. Discuss and take action to renegotiate the banking depository contract for two additional years (June 1, 2021 – May 31, 2023) with First National Bank OR in the alternative, accepting proposals for the Bank Depository Contract.**

Motion to renegotiate the banking depository contract for two additional years with First National Bank NKA First National Bank of East Texas made by Dustin Nicholson

Second by Mike Ashley

Gene Dolle; Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approve.

- 8. Discuss and take action to adopt Resolution 2021-03 which stands in opposition to SB234/HB749 silencing County Officials.**

Motion to adopt Resolution 2021-03 which stands in opposition to SB234/HB749 silencing County Officials made by Jay W. Miller

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

- 9. Discuss and take action to approve Spring Dump Days to be held April 10, 2021.**

The date is incorrect on this item so it will be brought back at a later date.
No action taken.

- 10. Discuss and take action to approve use of Courthouse lawn and vacant lot for Chamber of Commerce Easter egg hunt on April 3, 2021.**

Motion to approve the use of Courthouse lawn and vacant lot for the Chamber of Commerce Easter egg hunt on April 3, 2021 made by Jay W. Miller

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

- 11. Discuss and take action to approve a letter from David Thompson, Constable Pct. 4 to Fleet Operations TxDPS requesting the donation of four (4) Watch Guard in-car video camera systems.**

Motion to approve the letter from David Thompson, to the Fleet Operations TxDPS requesting the donation of four (4) Watch Guard in-car video camera systems made by Gene Dolle

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 12. Hear from Sheriff Webb concerning the Project Lifesaver Agreement. Discuss and take necessary action.**

Motion to approve Judge Tefteller and Sheriff Larry Webb to sign the Project Lifesaver Agreement made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 13. Hear from Sheriff Webb concerning an Inmate Jail garden on the County property located on Cottonwood. Discuss and take necessary action.**

Motion to approve an Inmate Jail garden on County property located on Cottonwood AKA as the Pug Mill made by Jay W. Miller

Second by Dustin Nicholson

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 14. Discuss and take action to approve a Resolution Authorizing Signatories for TxCDBG Contract No. 7220471.**

Motion to approve the Resolution Authorizing Signatories for TxCDBG Contract No. 7220471 made by Mike Ashley

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

Copy attached.

- 15. Discuss and take action to approve a Resolution adopting and/or reaffirming policies and procedures for civil rights, equal opportunity and fair housing as required by the Texas Community Development Block Grant Program and authorizing posting/publication of required notices.**

Motion to approve a Resolution adopting and/or reaffirming policies and procedures for civil rights, equal opportunity and fair housing as required by the Texas Community Development Block Grant Program and authorizing posting/publication of required notices made by Gene Dolle

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

Copy attached.

- 16. Discuss and take action to proclaim February as Fair Housing Month and authorizing the posting/publication of a Fair Housing Public Service Announcement.**

Motion to proclaim February as Fair Housing Month and authorizing the posting/publication of a Fair Housing Public Service Announcement made by Mike Ashley

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

Copy attached.

- 17. Discuss and take action to purchase a new fuel system to be placed at Road & Bridge.**

Motion to table this item and bring it back at a later date made by Dustin Nicholson

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 18. Discuss and take action to approve the purchase of a new refrigerator to be paid from the Road & Bridge budget to be placed at the Road & Bridge main barn.**

Motion to approve Road & Bridge to purchase a new refrigerator not to exceed \$600.00 made by Mike Ashley

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 19. Discuss and take action to approve not renewing the UniFirst Contract and to approve entering into a contract with Cintas for Road & Bridge uniforms.**

Motion to approve not renewing the UniFirst Contract and approve entering into a contract with Cintas for Road & Bridge Uniforms made by Mike Ashley

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 20. Discuss and take action to award Road & Bridge bids.**

Commissioner Nicholson left the Courtroom due to a conflict of interest. Motion to award the following bids for the following materials made by Mike Ashley

Second by Jay W. Miller

Gene Dolle, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

NOTE Copies of bids can be seen on #10 of the Commissioner Court Minutes posted on January 29, 2021 meeting on countyofupshur.com

Pug Milling:

J&B Production

Rock & Rip Rap:

Longview Asphalt

Plant Mixed Asphalt:

Longview Asphalt

Refined Road Oil:

Bryan & Bryan

Emulsified Asphalt:

Ergon Asphalt & Emulsions

Gasoline & Fuel:

Sun Coast

- 21. Discuss and take action to suspend/end Facebook Live in Commissioner's Court, effective immediately.**

Motion to suspend/end Facebook Live in Commissioner's Court, effective immediately made by Jay W. Miller

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller

Motion approved.

- 22. Adjourn.**



Attest: Terri Ross, Upshur County Clerk

Attendance sheet placed into minutes for recording purposes only.

Bills previously approved placed into minutes for recording purposes only.

Jury payroll placed into minutes for recording purposes only.

